

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

George Wayne Reid,	)	C/A No.: 5:20-01268-RMG-KDW
	)	
Petitioner,	)	
	)	
v.	)	REPORT AND RECOMMENDATION
	)	
WE Macklenburg, Warden at FCI Estill,	)	
	)	
Respondent.	)	
	)	
	)	

Petitioner, George Wayne Reid, is a federal prisoner who filed this pro se Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. On June 8, 2020, Respondent filed a Motion to Dismiss, or, in the alternative, Motion for Summary Judgment. ECF No. 24. Because Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of such motions and of the need for him to file adequate responses. ECF No. 25. Petitioner was specifically advised that if he failed to respond adequately, the Respondent's Motion may be granted, thereby ending this case against him. After failing to file a timely response, the court advised Petitioner that his Petition for a writ of habeas corpus could be dismissed if he failed to file a Response to the pending Motion on or before August 21, 2020. *See* ECF No. 27.

Previously, Petitioner was ordered to keep the court apprised of any change in his address. *See* ECF No. 8. However, the recent court notification sent to Petitioner's last known address, ECF No. 27, was returned as undeliverable. *See* ECF No. 31. The Clerk's Office remailed Plaintiff the July 21, 2020 order on August 12, 2020, to Petitioner at a Maryland address, along with a change-of-address form, but the court has not received a response from Petitioner. Further, since the returned mail, Petitioner has not notified the court of any change of

address. Petitioner has failed to comply with the court's order, and as a result, neither the court nor Respondent have any means of contacting him concerning his case.

Based on the foregoing, the undersigned recommends that this action be dismissed without prejudice in accordance with Fed. R. Civ. P. 41(b). The Clerk is directed to send this Report and Recommendation to Petitioner at his last known address. If Petitioner notifies the court within the time set for filing objections to this Report and Recommendation that he wishes to continue with this case and provides a current address, the Clerk is directed to vacate this Report and Recommendation and return this file to the undersigned for further handling. If, however, no objections are filed, the Clerk shall forward this Report and Recommendation to the district judge for disposition.

IT IS SO RECOMMENDED.

September 16, 2020  
Florence, South Carolina



Kaymani D. West  
United States Magistrate Judge

**The parties are directed to note the important information in the attached  
“Notice of Right to File Objections to Report and Recommendation.”**

### **Notice of Right to File Objections to Report and Recommendation**

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. [I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation. *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *see* Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

**Robin L. Blume, Clerk  
United States District Court  
Post Office Box 2317  
Florence, South Carolina 29503**

**Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation.** 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).